

KARL G. ANUTA (OSB #861423)
Law Office of Karl G. Anuta, P.C.
735 S.W. First Avenue, 2nd Floor
Portland, OR 97204
kg@integra.net
Phone: (503) 827-0320 | Fax: (503) 228-6551
Local Counsel for Plaintiff WaterWatch of Oregon

THE HONORABLE JOLIE RUSSO
THE HONORABLE ANN AIKEN

JANETTE K. BRIMMER (WSB #41271)
[Appearing Pro Hac Vice]
ANNA M. SEWELL (WSB #48736)
[Appearing Pro Hac Vice]
Earthjustice
705 Second Avenue, Suite 203
Seattle, WA 98104
jbrimmer@earthjustice.org
asewell@earthjustice.org
Phone: (206) 343-7340 | Fax: (206) 343-1526
Lead Counsel for Plaintiff WaterWatch of Oregon

LAUREN M. RULE (OSB #015174)
ELIZABETH H. ZULTOSKI (OSB #105482)
Advocates for the West
3115 NE Sandy Blvd., Suite 223
Portland, OR 97232
lrule@advocateswest.org
ezultoski@advocates.org
Phone: (503) 914-6388
Counsel for Plaintiff Center for Biological Diversity

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

v.

U.S. BUREAU OF RECLAMATION,

Case No. 6:15-cv-02358-JR
Consolidated with
Case No. 6:16-cv-00035-JR

REQUESTS FOR STAY OF FORMAL
OPINION AND TO SET SCHEDULE

REQUESTS FOR STAY AND TO SET SCHEDULE
(Consolidated Case No. 6:15-cv-02358-JR) - 1

Earthjustice
705 Second Ave., Suite 203
Seattle, WA 98104
(206) 343-7340

Defendant,

and

**ARNOLD IRRIGATION DISTRICT,
CENTRAL OREGON IRRIGATION
DISTRICT, LONE PINE IRRIGATION
DISTRICT, NORTH UNIT IRRIGATION
DISTRICT, TUMALO IRRIGATION
DISTRICT,**

Intervenor Defendants.

FOR MEDIATION AND BIFURCATED
TRIAL

WATERWATCH OF OREGON,

Plaintiff,

v.

**U.S. BUREAU OF RECLAMATION,
CENTRAL OREGON IRRIGATION
DISTRICT, NORTH UNIT IRRIGATION
DISTRICT, and TUMALO IRRIGATION
DISTRICT,**

Defendants,

and

**ARNOLD IRRIGATION DISTRICT, LONE
PINE IRRIGATION DISTRICT,**

Intervenor Defendants.

Case No. 6:16-cv-00035-JR

Plaintiffs Center for Biological Diversity and WaterWatch of Oregon file this request in accordance with the Court's Minutes of Motion Hearing dated March 23, 2016 and Local Rules 16 and 40.

Plaintiffs request the Court stay issuance of a formal opinion on the Motion for Preliminary Injunction and set a schedule to move this case to mediation and, ultimately, a trial

on the merits of the case only, with enough time in the case schedule to conduct the mediation. Plaintiffs note that the parties had all agreed previously to mediate at the suggestion of Magistrate Coffin and Plaintiffs continue to support such a mediation in recognition of and in accordance with the Court's discussion and direction at the hearing on March 22, 2016. Plaintiffs request a scheduling conference in order to set a mediation date as soon as schedules will allow.

Plaintiffs appreciate the Court's hearing and expeditious ruling on this matter and desire to move forward as suggested by the Court. Therefore, Plaintiffs request a stay of issuance of the formal opinion as Plaintiffs believe it is more productive and efficient to move to mediation and resolution of underlying issues in the case, and that an appealable final, formal opinion is not required to move the matter forward.

Plaintiffs further request that a trial date, on the merits of Plaintiffs' claims only (with remedy to be determined later, if necessary), be set as soon as schedules allow after November 15, 2016, in order to allow enough time in the interim to complete mediation efforts to reach a resolution of the issues in the case.

Respectfully submitted this _____ day of March, 2016.

/s/ Janette K. Brimmer

JANETTE K. BRIMMER (WSB #41271)

[Appearing Pro Hac Vice]

ANNA M. SEWELL (WSB # 48736)

[Appearing Pro Hac Vice]

Earthjustice

705 Second Avenue, Suite 203

Seattle, WA 98104

jbrimmer@earthjustice.org

asewell@earthjustice.org

Phone: (206) 343-7340 | Fax: (206) 343-1526

Lead Counsel for Plaintiff

KARL G. ANUTA (OSB #861423)
Law Office of Karl G. Anuta, P.C.
735 S.W. First Avenue, 2nd Floor
Portland, Oregon 97204
kga@integra.net
Phone: (503) 827-0320 | Fax: (503) 228-6551

Local Counsel for Plaintiff

LAUREN M. RULE (OSB # 015174)
ELIZABETH H. ZULTOSKI (OSB # 105482)
Advocates for the West
3115 NE Sandy Blvd., Suite 223
Portland, OR 97232
lrule@advocateswest.org
ezultoski@advocates.org
Phone: (503) 914-6388

Counsel for Plaintiff Center for Biological Diversity

CERTIFICATE OF SERVICE

I certify that on March 23, 2016 , I electronically filed the foregoing with the Clerk of the Court using the appellate CM/ECF system, which system will serve all parties who are registered participants.

/s/ Janette K. Brimmer

Janette K. Brimmer